

NATIONS BROADBAND, INC. d/b/a NATIONS TEL  
Tariff No.1 and MTS/COMMUNICALL

KENTUCKY  
Amended Title Page replaces Original Title Page

NATIONS BROADBAND, INC. D/B/A NATIONS TEL. AND MTS/COMMUNICALL  
13455 Noel Rd., Suite 1000  
Dallas, Texas 75240

RATES, RULES AND REGULATIONS FOR FURNISHING  
RESALE TELECOMMUNICATIONS SERVICES

Filed with the

PUBLIC SERVICE COMMISSION OF KENTUCKY

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for long-distance telecommunication services provided by Nations Broadband, Inc. d/b/a Nations Tel., and MTS/Communicall between points within the Commonwealth of Kentucky.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

MAR 17 2002

PURSUANT TO 807 KAR 5.011,  
SECTION 9 (1)

BY Stephan D. Bell  
SECRETARY OF THE COMMISSION

ISSUED:

Issued by authority of an order of  
the Public Service Commission of  
Kentucky in Case No.  
Dated:

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Issued By Nations Broadband, Inc. d/b/a Nations Tel. and MTS/Communicall

By: [Signature]

CHECK SHEET

The Title Page and Pages 1 through 20, inclusive, of this tariff are effective as of the date shown. Original and revised pages, as named below, contain all changes from the original tariff that are in effect on the date thereon except as otherwise noted.

<u>PAGE</u>	<u>REVISION LEVEL</u>
1	Third Amended
2	First Amended
3	First Amended
4	First Amended
5	First Amended
6	First Amended
7	First Amended
8	First Amended
9	First Amended
10	First Amended
11	First Amended
12	First Amended
12.1	First Amended
13	Second Amended
14	First Amended
15	First Amended
16	First Amended
17	First Amended
18	First Amended
19	First Amended 1
20	Second Amended

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NATIONS BROADBAND, INC. d/b/a NATIONS TEL  
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KENTUCKY Tariff No.1  
First Amended Page 2 Replaces Original Amended Page 2

**Page Numbering** - Page numbers appear in the upper right hand corner of the page. Pages are numbered sequentially. From time to time new pages may be added to the tariff. When a new page is added between existing pages a decimal is added to the preceding page number. For example, a new page added between Pages 3 and 4 would be numbered 3.1.

**Explanation of Symbols** - When changes are made in any tariff sheet, a revised sheet will be identified on the revised page(s) through the use of the following symbols:

**C** - Change in Text or Regulation but no Change in Rate or Charge

**D** - Delete or Discontinue

**I** - Change Resulting in an increase to a Customer's Bill

**M** - Moved from Another Tariff location

**N** - New

**R** - Change Resulting in a reduction to a Customer's Bill

**T** - To signify a change in text, but no change in rate or regulation.

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**APPLICATION OF TARIFF**

This tariff contains the regulations and rates applicable to the furnishing of alternative operator services and intrastate resale common carrier communications services by **Nations Broadband, Inc., d/b/a Nations Tel and MTS/Communicall** between locations within the State of Kentucky. This tariff is not applicable to local calls which will be processed by the serving local exchange carrier.

The rates and regulations contained in this tariff apply only to the services furnished by **Nations Broadband, Inc., d/b/a Nations Tel and MTS/Communicall** and do not apply, unless otherwise specified, to the lines, facilities or services provided by a local exchange telephone company or other common carrier for use in accessing the services of **Nations Broadband, Inc., d/b/a Nations Tel and MTS/Communicall**.

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### TARIFF FORMAT SHEET

A. Sheet Numbering - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.

B. Sheet Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the KENTUCKY Public Service Commission. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14. Because of various suspension periods, deferrals, etc., the Commission follows in their tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.

C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

- 2.
- 2.1.
- 2.1.1.
- 2.1.1.A.
- 2.1.1.A.1.
- 2.1.1.A.1.(a).
- 2.1.1.A.1.(a).I.
- 2.1.1.A.1.(a).I.(i).
- 2.1.1.A.1.(a).I.(i).(1).

D. Check Sheets - When a tariff filing is made with the Commission, an updated check sheet accompanies the tariff filing. The check sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some pages). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the Commission.

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**SECTION 1 - DEFINITIONS AND ABBREVIATIONS**

**AGGREGATOR** - ANY PERSON OR ENTITY THAT, IN THE ORDINARY COURSE OF ITS OPERATIONS, MAKES ITS TELEPHONES AVAILABLE TO THE PUBLIC OR TO TRANSIENT USERS OF ITS PREMISES, FOR INTRASTATE TELEPHONE CALLS PLACED THROUGH THE COMPANY'S SERVICES.

**AUTOMATED "0+" TELECOMMUNICATIONS SERVICES** - CALLS WHEREIN THE END USER DIALS "0" PLUS THE NUMBER CALLED AND CHOOSES TO BILL THE CALL TO A CALLING CARD OR TO THE CALLED NUMBER (COLLECT CALL) AND WHEREIN CALL PLACEMENT AND RECORDING OF BILLING INFORMATION IS PERFORMED WITHOUT THE ASSISTANCE OF A LIVE OPERATOR.

**BILLED PARTY** - THE PARTY RESPONSIBLE FOR PAYMENT OF CHARGES APPLICABLE TO INTRASTATE CALLS PLACED USING THE COMPANY'S SERVICES.

**BILLING AGENT** - AN ENTITY WHO CONTRACTS WITH LOCAL EXCHANGE CARRIERS TO PROVIDE BILLING AND COLLECTION SERVICES ON BEHALF OF ITS CUSTOMERS, INCLUDING THE COMPANY.

**CALL PROCESSING SYSTEM** - CUSTOMER PREMISE EQUIPMENT REGISTERED WITH THE FEDERAL COMMUNICATIONS COMMISSION THAT AUTOMATES PLACEMENT OF "0+" DIALED CALLS, INCLUDING RECORDING OF BILLING INFORMATION.

**CALLED STATION** - THE TERMINATING POINT OF A CALL (I.E. THE CALLED NUMBER).

**CALLING CARD CALL** - A BILLING ARRANGEMENT WHEREBY A CUSTOMER MAY CHARGE A CALL TO A VALID CALLING CARD ISSUED BY A REGULATED LOCAL EXCHANGE COMPANY WITH WHOM NATIONS BROADBAND HAS BILLING AND COLLECTION ARRANGEMENT EITHER DIRECTLY OR INDIRECTLY THROUGH OAN BILLING SERVICES, INC.

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**CALLING STATION** - THE ORIGINATING POINT OF A CALL (I.E.  
THE CALLING NUMBER).

**CARRIER** - THE CARRIER IS NATIONS BROADBAND, INC. D/B/A NATIONS TEL. AND  
MTS/COMMUNICALL.

**COLLECT CALL** - A PAYMENT ARRANGEMENT WHEREBY THE CALLED  
STATION IS THE BILLED PARTY FOR CALLS PLACED OVER THE  
COMPANY'S SERVICE.

**COMPANY** - THE COMPANY IS NATIONS BROADBAND, INC. D/B/A NATIONS TEL. AND  
MTS/COMMUNICALL.

**CUSTOMER** - ANY PERSON, FIRM, PARTNERSHIP, CORPORATION,  
OR OTHER END USER FURNISHED TELECOMMUNICATION SERVICES  
UNDER THE PROVISIONS AND REGULATIONS OF THIS TARIFF.

**DIAL CALLING CARD STATION TO STATION CALL** - A TELEPHONE  
CALL WHEREBY THE END USER DIALS ZERO, THEN THE CALLED  
STATION NUMBER AND THE END USER'S CALLING CARD NUMBER;  
AND WHERE THE CALL IS COMPLETED USING THE COMPANY'S  
AUTOMATED FACILITIES.

**INCOMPLETE CALL** - ANY CALL WHERE VOICE TRANSMISSION  
BETWEEN THE CALLING AND CALLED STATION IS NOT  
ESTABLISHED (I.E. BUSY, NO ANSWER, ETC.).

**OAN BILLING SERVICES, INC.** - A CORPORATION WHICH HAS  
ESTABLISHED BILLING AND COLLECTION AGREEMENTS WITH  
VARIOUS BELL OPERATING COMPANIES AND INDEPENDENT  
TELEPHONE COMPANIES. OAN'S SERVICE IS AVAILABLE TO THE  
COMPANY FOR BILLING AND COLLECTION.

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**SERVICE CHARGE** - NO SERVICE CHARGES WILL BE ADDED TO THE LONG DISTANCE CHARGE FOR USING THE COMPANY'S AUTOMATED OPERATOR SERVICES IN ACCORDANCE WITH THE KENTUCKY PUBLIC SERVICE COMMISSIONS RULES AND REGULATIONS.

**STATION** - ANY LOCATION FROM WHICH LONG DISTANCE CALLS MAY BE PLACED OR RECEIVED.

**SUBSCRIBER** - THE PERSON, FIRM, PARTNERSHIP, CORPORATION OR OTHER ENTITY WHO OWNS, LEASES, OR MANAGES THE PBX OR OTHER SWITCH VEHICLE FROM WHICH A CUSTOMER PLACES A CALL UTILIZING THE SERVICES OF THE COMPANY.

## **SECTION 2 - RULES AND REGULATIONS**

### **2.1. UNDERTAKING OF THE COMPANY**

THE COMPANY SERVICES AND FACILITIES ARE FURNISHED FOR COMMUNICATIONS ORIGINATING AT SPECIFIED POINTS WITHIN THE STATE OF KENTUCKY UNDER TERMS OF THIS TARIFF. THE COMPANY INSTALLS, OPERATES AND MAINTAINS THE COMMUNICATIONS SERVICES PROVIDED HEREIN IN ACCORDANCE WITH THE TERMS AND CONDITIONS SET FORTH UNDER THIS TARIFF. IT MAY ACT AS THE CUSTOMER'S AGENT FOR ORDERING ACCESS CONNECTION FACILITIES PROVIDED BY OTHER CARRIERS OR ENTITIES WHEN AUTHORIZED BY THE CUSTOMER, TO ALLOW CONNECTION OF A CUSTOMER'S LOCATION TO THE COMPANY'S NETWORK. SUCH SERVICES ARE AVAILABLE TO CUSTOMERS FROM ONSITE SUBSCRIBER LOCATIONS WITHIN KENTUCKY, TWENTY-FOUR HOURS A DAY, SEVEN DAYS A WEEK.

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## 2.2. LIMITATIONS

- 2.2.1. SERVICE IS PROVIDED SUBJECT TO THE AVAILABILITY OF THE NECESSARY FACILITIES OR EQUIPMENT, AND SUBJECT TO THE PROVISIONS OF THIS TARIFF.
- 2.2.2. THE COMPANY RESERVES THE RIGHT TO DISCONTINUE SERVICE WHEN NECESSITATED BY CONDITIONS BEYOND ITS CONTROL, OR WHEN THE CUSTOMER OR SUBSCRIBER IS USING THE SERVICE IN VIOLATION OF THE PROVISIONS OF THIS TARIFF OR THE LAW.
- 2.2.3. THE COMPANY DOES NOT UNDERTAKE TO TRANSMIT MESSAGES, BUT OFFERS THE USE OF ITS FACILITIES WHEN AVAILABLE, AND WILL NOT BE LIABLE FOR ERRORS IN TRANSMISSION OR FOR FAILURE TO ESTABLISH CONNECTIONS.
- 2.2.4. THE COMPANY RESERVES THE RIGHT TO REFUSE SERVICE TO CUSTOMERS DUE TO INSUFFICIENT OR INVALID BILLING INFORMATION AND/OR REFUSAL OF A CALLED PARTY TO ACCEPT BILLING.

## 2.3. USE OF SERVICE

SERVICE MAY BE USED FOR ANY LAWFUL PURPOSE CONSISTENT WITH THE TRANSMISSION AND SWITCHING PARAMETERS OF THE TELECOMMUNICATIONS FACILITIES UTILIZED IN THE PROVISION OF SERVICES.

SERVICE MAY NOT BE USED FOR ANY PURPOSE FOR WHICH ANY PAYMENT OR OTHER COMPENSATION IS RECEIVED BY THE CUSTOMERS OR CONSUMERS, EXCEPT WHEN THE CUSTOMER OR CONSUMER IS A DULY AUTHORIZED AND REGULATED COMMON CARRIER. THIS PROVISION DOES NOT PROHIBIT AN ARRANGEMENT BETWEEN THE CUSTOMER, AUTHORIZED CONSUMER OR JOINT CONSUMER TO SHARE THE COST OF THE SERVICE SO LONG AS THE ARRANGEMENT DOES NOT GENERATE ANY PROFIT FOR ANY PARTICIPANT IN THE ARRANGEMENT.

THE MINIMUM PERIOD OF SERVICE IS ONE MONTH (30 DAYS), UNLESS OTHERWISE STATED IN A CUSTOMER AGREEMENT.

## 2.4. LIABILITY

- 2.4.1. THE COMPANY'S LIABILITY, FOR DAMAGES ARISING OUT OF MISTAKES, INTERRUPTIONS, OMISSIONS, DELAYS, ERRORS, OR DEFECTS IN THE TRANSMISSION OCCURRING IN THE COURSE OF FURNISHING SERVICE TO THE PUBLIC SERVICE COMMISSION OF THE KENTUCKY FACILITIES, AND NOT CAUSED BY THE NEGLIGENCE OF ITS EMPLOYEES OR ITS AGENTS, IN NO EVENT SHALL EXCEED AN AMOUNT EQUIVALENT TO THE EFFECTIVE PROPORTIONATE CHARGE TO THE CUSTOMER FOR THE PERIOD DURING WHICH THE AFOREMENTIONED FAULTS IN TRANSMISSION OCCUR.

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2.4.2. THE COMPANY SHALL BE INDEMNIFIED AND HELD HARMLESS BY THE  
CUSTOMER AGAINST:

(A) CLAIMS FOR LIBEL, SLANDER, OR INFRINGEMENT OF COPYRIGHT ARISING  
OUT OF THE MATERIAL, DATA, INFORMATION, OR OTHER CONTENT  
TRANSMITTED OVER THE COMPANY'S FACILITIES.

(B) ALL OTHER CLAIMS ARISING OUT OF ANY ACT OR OMISSION OF THE  
CUSTOMER IN CONNECTION WITH ANY SERVICE OR FACILITY PROVIDED BY THE  
COMPANY.

2.4.3. THE CARRIER IS NOT LIABLE FOR ANY ACT OR OMISSION OF ANY OTHER  
COMPANY OR COMPANIES FURNISHING A PORTION OF THE SERVICE.

2.4.4. THE CARRIER SHALL NOT BE LIABLE FOR AND THE CUSTOMER INDEMNIFIES AND  
HOLDS THE CARRIER HARMLESS FROM ANY AND ALL LOSS CLAIMS, DEMANDS,  
SUITS, OR OTHER ACTION OR LIABILITY WHATSOEVER, WHETHER SUFFERED,  
MADE, INSTITUTED OR ASSERTED BY THE CUSTOMER OR BY ANY OTHER PARTY  
OR PERSONS, FOR ANY PERSONAL INJURY TO, OR DEATH OF, ANY PERSON OR  
PERSONS, AND FOR ANY LOSS, DAMAGE, DEFACEMENT OR DESTRUCTION OF THE  
PREMISES OF THE CUSTOMER OR ANY OTHER PROPERTY, WHETHER OWNED BY  
THE CUSTOMER OR OTHERS, CAUSED OR CLAIMED TO HAVE BEEN CAUSED  
DIRECTLY OR INDIRECTLY BY THE INSTALLATION, OPERATION, FAILURE TO  
OPERATE, MAINTENANCE, REMOVAL, PRESENCE, CONDITION, LOCATION OR USE  
OF THE EQUIPMENT OR WIRING PROVIDED BY THE CARRIER WHERE SUCH  
INSTALLATION, OPERATION, FAILURE TO OPERATE, MAINTENANCE, CONDITION,  
LOCATION OR USE IS NOT THE DIRECT RESULT OF THE CARRIER'S NEGLIGENCE.  
NO AGENTS OR EMPLOYEES OF OTHER CARRIERS SHALL BE DEEMED TO BE  
AGENTS OR EMPLOYEES OF THE CARRIER.

2.5. INTERRUPTION OF SERVICE

2.5.1. CREDIT ALLOWANCE FOR THE INTERRUPTION OF SERVICE WHICH IS NOT DUE TO  
THE COMPANY'S TESTING OR ADJUSTING, NEGLIGENCE OF THE CUSTOMER, OR  
THE FAILURE OF CHANNELS OR EQUIPMENT PROVIDED BY THE CUSTOMER, ARE  
SUBJECT TO THE GENERAL LIABILITY PROVISIONS SET FORTH HEREIN. IT SHALL  
BE THE OBLIGATION OF THE CUSTOMER TO NOTIFY THE COMPANY  
IMMEDIATELY OF ANY INTERRUPTION IN SERVICE FOR WHICH A CREDIT  
ALLOWANCE IS DESIRED. BEFORE GIVING SUCH NOTICE, THE CUSTOMER SHALL  
ASCERTAIN THAT THE TROUBLE IS NOT BEING CAUSED BY ANY ACTION OR  
OMMISSION BY THE CUSTOMER WITHIN HIS CONTROL, IF ANY, FURNISHED BY  
THE CUSTOMER AND CONNECTED TO THE COMPANYS' FACILITIES.

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2.5.2. ADJUSTMENTS FOR INTERRUPTIONS OF SERVICE WILL BE BY DIRECT PAYMENT OR BILL CREDIT EQUAL TO THE PART OF THE MONTHLY CHARGES FOR SERVICES RENDERED INOPERATIVE DURING THE INTERRUPTION, THE ADJUSTMENT SHALL BEGIN WITH THE HOUR OF THE REPORT OR DISCOVERY OF THE INTERRUPTION.

2.6. RESTORATION OF SERVICE

THE USE AND RESTORATION OF SERVICE IN EMERGENCIES SHALL BE IN ACCORDANCE WITH PART 64, SUBPART D OF THE FEDERAL COMMUNICATIONS COMMISSION'S RULES AND REGULATIONS, WHICH SPECIFIES THE PRIORITY SYSTEM FOR SUCH ACTIVITIES.

2.7 CUSTOMER/SUBSCRIBER RESPONSIBILITY

2.7.1. THE CUSTOMER OR SUBSCRIBER IS RESPONSIBLE FOR PLACING ANY NECESSARY ORDERS FOR CONNECTION TO THE CARRIER OR OTHER CARRIERS. THE SUBSCRIBER IS ALSO RESPONSIBLE FOR ASSURING THAT CONSUMERS COMPLY WITH TARIFF REGULATIONS. THE SUBSCRIBER SHALL ENSURE COMPLIANCE WITH ANY APPLICABLE LAWS, REGULATIONS, ORDERS OR OTHER REQUIREMENTS OF ANY GOVERNMENTAL ENTITY RELATING TO SERVICES PROVIDED OR MADE AVAILABLE BY THE SUBSCRIBER TO CONSUMERS OR END USERS. THE SUBSCRIBER IS ALSO RESPONSIBLE FOR THE PAYMENT OF CHARGES FOR CALLS ORIGINATED AT THE SUBSCRIBER'S NUMBERS WHICH ARE NOT COLLECT, THIRD PARTY, CALLING CARD OR CREDIT CARD CALLS.

THE CUSTOMER OR SUBSCRIBER IS RESPONSIBLE FOR CHARGES INCURRED FOR SPECIAL CONSTRUCTION AND/OR SPECIAL FACILITIES WHICH THE CUSTOMER OR SUBSCRIBER REQUESTED AND WHICH IS ORDERED BY THE CARRIER.

2.7.2. MAINTENANCE, TESTING, AND ADJUSTMENT

IF THE CUSTOMER'S SERVICE MUST BE INTERRUPTED DUE TO MAINTENANCE, CARRIER SHALL NOTIFY THE AFFECTED CUSTOMER IN ADVANCE, IF POSSIBLE AND WILL PERFORM THE WORK IN SUCH A MANNER AS TO MINIMIZE INCONVENIENCE. EQUIPMENT PROVIDED BY THE CARRIER SHALL BE MADE AVAILABLE TO CARRIER FOR SUCH TESTS AND ADJUSTMENTS AS MAY BE NECESSARY TO MAINTAIN THEM IN SATISFACTORY CONDITION.

2.7.3. (RESERVED FOR FUTURE USE)

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2.7.4. CANCELLATION BY CUSTOMER

CANCELLATION OF SERVICE BY THE CUSTOMER OR SUBSCRIBER SHALL BE GOVERNED BY THE TERMS OF THE INDIVIDUAL CONTRACT WITH THE COMPANY AND BY THE RULES SET FORTH BY THE PUBLIC UTILITIES COMMISSION OF KENTUCKY.

2.7.5. PAYMENT AND BILLING

- A. SERVICE IS PROVIDED AND BILLED ON A MONTHLY BASIS, UNLESS OTHERWISE STATED IN A CUSTOMER OR SUBSCRIBER AGREEMENT.
- B. PAYMENT IS DUE UPON RECEIPT. PAYMENT WILL BE CONSIDERED TIMELY IF PAID WITHIN 20 DAYS AFTER THE BILL IS RENDERED. THE BILL SHALL BE CONSIDERED RENDERED WHEN DEPOSITED IN THE U.S. MAIL WITH POSTAGE PREPAID.
- C. IN THE EVENT OF A DISPUTE CONCERNING A BILL, CUSTOMER MUST PAY A SUM EQUAL TO THE AMOUNT OF THE UNDISPUTED PORTION OF THE BILL AND PROCEED WITH COMPLAINT PROCEDURES SET FORTH IN THIS TARIFF.
- D. THE CUSTOMER IS RESPONSIBLE FOR PAYMENT OF ALL CHARGES FOR SERVICE FURNISHED TO THE CUSTOMER UNDER THIS TARIFF. CHARGES ARE BASED ON ACTUAL USAGE DURING A MONTH WILL BE BILLED MONTHLY IN ARREARS.
- E. CUSTOMER IS RESPONSIBLE FOR PAYMENT OF ANY STATE AND LOCAL TAXES (I.E., GROSS RECEIPTS TAX, SALES TAX, MUNICIPAL UTILITIES TAX) WHICH WILL BE LISTED AS SEPERATE LINE ITEMS AND ARE NOT INCLUDED IN THE QUOTED RATES.
- F. CUSTOMERS WILL BE A LATE PAYMENT PENALTY IN THE AMOUNT OF 1.5% PER MONTH ON ALL UNPAID BALANCES MORE THAN THIRTY DAYS OLD. A LATE PAYMENT CHARGE IS NOT APPLICABLE TO SUBSEQUENT REBILLING OF ANY AMOUNT TO WHICH A LATE PAYMENT CHARGE HAS ALREADY BEEN APPLIED. LATE CHARGES ARE TO BE APPLIED WITHOUT DISCRIMINATION.

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G. SAMPLE TELEPHONE BILL

SEE ATTACHED EXHIBIT "A"

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2.7.6. APPLICATION OF CHARGES

THE CHARGES FOR SERVICE ARE THOSE IN EFFECT FOR THE PERIOD THAT SERVICE IS FURNISHED.

2.7.7. CUSTOMER COMPLAINT PROCEDURE

CARRIER WILL RESOLVE ANY DISPUTES BROUGHT TO ITS ATTENTION AS PROMPTLY AND EFFECTIVELY AS POSSIBLE. CUSTOMER SERVICE REPRESENTATIVES CAN BE REACHED VIA THE FOLLOWING 800 NUMBER: 1-800-713-9078 FOR ALL BILLING INQUIRIES.

ANY UNRESOLVED DISPUTES MAY BE DIRECTED TO THE ATTENTION OF THE PUBLIC SERVICE COMMISSION OF KENTUCKY, 211 SOWER BLVD., P.O. BOX 615, FRANKFORT, KY 40602-0615. (800) 772-4636.

IN THE EVENT OF A DISPUTE CONCERNING AN INVOICE, THE CUSTOMER MUST PAY A SUM EQUAL TO THE AMOUNT OF THE UNDISPUTED PORTION OF THE BILL AND NOTIFY THE COMPANY OF THE DISPUTED PORTION.

2.8. CARRIER RESPONSIBILITY

2.8.1. CANCELLATION BY CARRIER

CANCELLATION OF SERVICE BY CARRIER SHALL BE GOVERNED BY THE TERMS SET FORTH BY THE KENTUCKY P.S.C.

2.9. RETURN CHECK CHARGE

THE COMPANY RESERVES THE RIGHT TO ASSESS A RETURN CHECK CHARGE OF \$25.00 WHENEVER A CHECK OR DRAFT PRESENTED FOR PAYMENT OF SERVICE IS NOT ACCEPTED BY THE INSTITUTION ON WHICH IT IS WRITTEN. THIS CHARGE APPLIES EACH TIME A CHECK IS RETURNED TO THE COMPANY BY A BANK FOR INSUFFICIENT FUNDS.

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Dated:

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By: \_\_\_\_\_

### SECTION 3 - DESCRIPTION OF SERVICE OFFERED

#### 3.1. TIMING OF CALLS

3.1.1. THE CUSTOMER'S LONG DISTANCE USAGE CHARGE IS BASED ON THE ACTUAL USAGE OF THE COMPANY'S NETWORK. USAGE BEGINS WHEN THE CALLED PARTY PICKS UP THE RECEIVER, (I.E. WHEN 2 WAY COMMUNICATION, OFTEN REFERRED TO AS "CONVERSATION TIME" IS POSSIBLE.) WHEN THE CALLED PARTY PICKS UP IS DETERMINED BY HARDWARE ANSWER SUPERVISION IN WHICH THE LOCAL TELEPHONE COMPANY SENDS A SIGNAL TO THE SWITCH OR THE SOFTWARE UTILIZING AUDIO TONE DETECTION. WHEN SOFTWARE ANSWER SUPERVISION IS EMPLOYED, IF THE CALL IS NOT COMPLETED, THEN THE CALL WILL NOT BE BILLED AS USAGE OF THE NETWORK. A CALL IS TERMINATED WHEN THE CALLING OR CALLED PARTY HANGS UP.

#### 3.2. SERVICE PERIOD

FOR BILLING PURPOSES, THE START OF SERVICE IS THE DAY FOLLOWING ACCEPTANCE BY THE CUSTOMER OF CARRIER'S SERVICE. THE END OF SERVICE DATE IS THE LAST DAY OR ANY PORTION OF THE LAST DAY FOR WHICH SERVICE WAS PROVIDED BY CARRIER.

#### 3.3. INTERCONNECTION

SERVICE FURNISHED BY CARRIER MAY BE INTERRUPTED WITH SERVICES OR FACILITIES OF OTHER AUTHORIZED COMMUNICATIONS COMMON CARRIERS AND WITH PRIVATE SYSTEMS, SUBJECT TO THE TECHNICAL LIMITATIONS ESTABLISHED BY CARRIER. SERVICE FURNISHED BY CARRIER IS NOT PART OF A JOINT UNDERTAKING WITH SUCH OTHER CARRIERS. ANY SPECIAL INTERFACE EQUIPMENT OR FACILITIES NECESSARY TO ACHIEVE COMPATIBILITY BETWEEN THE FACILITIES OF THE CARRIER AND OTHER PARTICIPATING CARRIERS SHALL BE PROVIDED AT THE CUSTOMER'S EXPENSE.

INTERCONNECTION WITH THE FACILITIES OR SERVICES OF OTHER CARRIERS SHALL BE UNDER THE APPLICABLE TERMS AND CONDITIONS OF THE OTHER CARRIER'S TARIFF. THE CUSTOMER IS RESPONSIBLE FOR TAKING ALL NECESSARY LEGAL STEPS FOR INTERCONNECTING HIS CUSTOMER-PROVIDED TERMINAL EQUIPMENT OR COMMUNICATIONS SYSTEMS WITH CARRIER'S FACILITIES. THE CUSTOMER SHALL SECURE ALL LICENSES, PERMITS, RIGHT-OF-WAYS, AND OTHER ARRANGEMENTS NECESSARY FOR SUCH INTERCONNECTION.

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### 3.4. TERMINAL EQUIPMENT

- A. CARRIER'S SERVICE MAY BE USED WITH OR TERMINATED IN CUSTOMER PROVIDED TERMINAL EQUIPMENT OR CUSTOMER PROVIDED COMMUNICATION SYSTEMS, SUCH AS TELEPRINTERS, HANDSETS, OR DATA SETS. SUCH TERMINAL EQUIPMENT SHALL BE FURNISHED AND MAINTAINED AT THE EXPENSE OF THE CUSTOMER. THE CUSTOMER IS RESPONSIBLE FOR ALL COSTS AT HIS PREMISES, INCLUDING CUSTOMER PERSONNEL, WIRING, ELECTRICAL POWER, AND THE LIKE INCURRED IN HIS USE OF CARRIER'S SERVICE.
- B. WHEN TERMINAL EQUIPMENT IS USED, THE EQUIPMENT SHALL COMPLY WITH THE PROTECTIVE CRITERIA GENERALLY ACCEPTED IN THE INDUSTRY AND SHALL NOT INTERFERE WITH SERVICE FURNISHED TO OTHER CUSTOMERS. ADDITIONAL PROTECTIVE EQUIPMENT, IF NEEDED, SHALL BE EMPLOYED AT THE CUSTOMER'S EXPENSE.

### 3.5. CALCULATION OF DISTANCE

THE RATES SET FORTH BELOW ARE MILEAGE SENSITIVE AND BASED ON THE AIRLINE DISTANCE BETWEEN RATE CENTERS ASSOCIATED WITH THE ORIGINATING AND TERMINATING POINTS OF A CALL.

THE MILEAGE BETWEEN RATE CENTERS IS DETERMINED BY APPLYING THE FORMULA BELOW TO THE VERTICAL AND HORIZONTAL COORDINATES ASSOCIATED WITH THE RATE CENTERS INVOLVED. THE COMPANY USES THE RATE CENTERS AND ASSOCIATED VERTICAL AND HORIZONTAL COORDINATES GENERALLY USED WITHIN THE INDUSTRY.

FORMULA: 
$$\frac{(V1-V2)^2 + (H1-H2)^2}{10}$$

### 3.6. MINIMUM CALL COMPLETION RATE

A CUSTOMER CAN EXPECT A CALL COMPLETION RATE OF NOT LESS THAN 99% DURING PEAK USE PERIODS.

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### 3.7. CUSTOMER SPECIFIC PRODUCTS

COMPANY OFFERS CUSTOMER SPECIFIC PRODUCTS UNDER CONFIDENTIAL TERMS AND CONDITIONS EXCLUSIVE TO INDIVIDUAL CUSTOMERS. STANDARD RATES AS OUTLINED HEREIN APPLY TO THE GENERAL PUBLIC.

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BY: Stephan Bue  
SECRETARY OF THE COMMISSION

### 3.8. AVAILABLE SERVICES

THE COMPANY WILL PROVIDE THE FOLLOWING SERVICES:

#### 3.8.1. MESSAGE TOLL SERVICE (MTS) OPTIONS

IN NON-EQUAL ACCESS AREAS, THE CUSTOMER WILL GAIN ACCESS TO THE CARRIER'S NETWORK BY DIALING A 10XXX ( UPON FCC/PUC APPROVAL 10XXXX) ACCESS CODE WHICH WILL BE PROVIDED BY THE COMPANY.

#### 3.8.2. 800 SERVICE

800 SERVICE IS VIRTUAL BANDED INBOUND TOLL SERVICE WHICH PERMITS CALLS TO BE COMPLETED AT THE SUBSCRIBER'S LOCATION WITHOUT CHARGE TO THE CALLING PARTY. ACCESS TO THE SERVICE IS GAINED BY DIALING A TEN DIGIT TELEPHONE NUMBER WHICH TERMINATES AT THE CUSTOMER'S LOCATION. 800 SERVICES ORIGINATE VIA NORMAL SHARED USE FACILITIES AND ARE TERMINATED VIA THE CUSTOMER'S LOCAL EXCHANGE SERVICE ACCESS LINE.

CARRIER WILL ACCEPT A PROSPECTIVE 800 SERVICE CUSTOMER'S REQUEST FOR UP TO TEN (10) 800 TELEPHONE NUMBERS AND WILL RESERVE SUCH NUMBER(S) ON A FIRST SERVE BASIS. ALL REQUESTS FOR 800 NUMBER RESERVATIONS MUST BE MADE IN WRITING, DATED AND SIGNED BY A RESPONSIBLE REPRESENTATIVE OF THE CUSTOMER. CARRIER DOES NOT GUARANTEE THE AVAILABILITY OF NUMBER(S) UNTIL ASSIGNED. THE 800 SERVICES TELEPHONE NUMBER(S) SO REQUESTED, IF FOUND TO BE AVAILABLE, WILL BE RESERVED FOR AND FURNISHED TO THE ELIGIBLE CUSTOMER.

IF A CUSTOMER WHO HAS RECEIVED AN 800 NUMBER DOES NOT SUBSCRIBE TO 800 SERVICE WITHIN 90DAYS, THE COMPANY RESERVES THE RIGHT TO MAKE THE ASSIGNED NUMBER AVAILABLE FOR USE BY ANOTHER CUSTOMER.

#### 3.8.3. TRAVEL CARD SERVICE

ALLOWS SUBSCRIBERS WHO ARE AWAY FROM HOME OR OFFICE TO PLACE CALLS BY GAINING ACCESS TO THE CARRIER'S NETWORK VIA AN 800 NUMBER.

#### 3.8.4. DIRECTORY ASSISTANCE

THE COMPANY WILL PROVIDE LISTED TELEPHONE NUMBERS TO REQUESTING CUSTOMERS AT A PER CALL CHARGE. UP TO TWO REQUESTS MAY BE MADE ON EACH CALL TO DIRECTORY ASSISTANCE.

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### 3.8.5. PREPAID CALLING CARD SERVICE

ALLOWS SUBSCRIBERS WHO ARE AWAY FROM HOME OR OFFICE TO PLACE CALLS BY GAINING ACCESS TO THE CARRIER'S NETWORK VIA AN 800 NUMBER WITH THEIR PREPAID CALLING CARDS. THIS SERVICE ALLOWS THE CUSTOMER TO HAVE PRIOR KNOWLEDGE OF THE PER MINUTE RATE HE/SHE WILL BE CHARGED AND THE NUMBER OF MINUTES/HOURS, HE/SHE CAN USE SAID CALLING CARD BEFORE IT WILL NEED TO BE REPLENISHED.

### 3.8.6. OPERATOR SERVICES

CARRIER PROVIDES THE FOLLOWING 0+ OPERATOR SERVICES IN ACCORDANCE WITH THE PROVISIONS SET FOR IN THIS TARIFF:

- A. OPERATOR ASSISTED STATION-TO-STATION - CALL IS COMPLETED BY AN OPERATOR WITH CALLER PAYING FOR THE CALL.
- B. OPERATOR ASSISTED PERSON-TO-PERSON - CALL IS COMPLETED TO A SPECIFIED PERSON WITH CALLER PAYING FOR THE CALL.
- C. OPERATOR ASSISTED COLLECT CALLS - CALL IS COMPLETED BY AN OPERATOR WITH CALLED PARTY BILLED FOR THE CALL.
- D. OPERATOR ASSISTED THIRD NUMBER BILLED - CALL IS COMPLETED BY AN OPERATOR WITH THE CALL BILLED TO A HOME OR OTHER TELEPHONE NUMBER.
- E. CUSTOMER DIALED CALLING CARD AND CREDIT CARD CALLS - CALL IS COMPLETED WITHOUT THE USE OF AN OPERATOR WITH THE CALL BILLED TO THE CALLING CARD OR CREDIT CARD ACCOUNT.

### 3.8.7. EMERGENCY CALL HANDLING

0- AND 911 CALLS WILL BE AUTOMATICALLY ROUTED TO THE LEC. ANY EMERGENCY CALLS WHICH MAY BE RECEIVED BY THE CARRIER'S OPERATORS WILL BE IMMEDIATELY TRANSFERRED TO THE 911 DISPATCH CENTER FOR THE LOCATION OF THE REPORTED EMERGENCY, IF KNOWN, THE CARRIER WILL CONNECT THE CALL TO THE 911 DISPATCH CENTER FOR THE LOCATION OF CALL ORIGINATION.

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**SECTION 4 - RATES AND CHARGES**

**4.1. CALL BILLING INFORMATION**

**A. USAGE CHARGES**

UNLESS FLAT RATED, USAGE CHARGES ARE DETERMINED BY THE TIME OF DAY RATE PERIODS AND MINUTES OF USE WITHIN EACH RATE PERIOD. THE RATE PERIOD IS DETERMINED BY THE TIME AND DAY OF CALL ORIGINATION AT THE CUSTOMER'S LOCATION.

**B. BILLING INCREMENTS**

UNLESS STATED OTHERWISE, USAGE IS BILLED IN 1 MINUTE INCREMENTS FOR A CONNECTED CALL. CALLS BEYOND 1 MINUTE ARE BILLED IN 6 SECOND INCREMENTS.

**C. ROUNDING**

PARTIAL USAGE WILL BE ROUNDED UP TO THE NEXT HIGHEST BILLING INCREMENT. FOR BILLING PURPOSES, FRACTIONAL CENTS WILL BE ROUNDED UP TO THE NEAREST PENNY FOR EACH CALL.

**4.2. MTS RATES**

RESIDENTIAL AND COMMERCIAL.

FLAT RATE OF \$0.36 PER MINUTE. NO TIME OF DAY DISCOUNTS.

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**4.3. 800 SERVICE**

FLAT RATE OF \$0.36 PER MINUTE. NO TIME OF DAY DISCOUNTS.

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**THE FOLLOWING CHARGES ARE ONE TIME SET-UP FEES:**

LIMITED AREA COVERAGE	\$150.00	REDIRECT TO ANOTHER LINE	\$ 10.00 PER
		800 NUMBER	
EXTENDED AREA COVERAGE	\$ 50.00	INSTALLATION FEE FOR 800	\$ 10.00 PER
(INC. ALASKA, HAWAII,		NUMBERS ORDERED OVER 10	800 NUMBER
THE VIRGIN ISLANDS & PUERTO RICO)			

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4.4. TRAVEL SERVICE

THE FOLLOWING PER MINUTE RATES APPLY:

4.4.1. NATIONS 1

DAY	\$ .3500
EVENING	\$ .3500
NIGHT	\$ .3500

OPERATOR SURCHARGE: \$0.75 PER CALL

4.1.4.B. NATIONS 2

DAY	\$ .3600
EVENING	\$ .3600
NIGHT	\$ .3600

OPERATOR SURCHARGE: N/A

**BILLED IN ONE MINUTE INCREMENTS WITH PARTIAL USE ROUNDED  
UP TO THE NEXT HIGHEST WHOLE MINUTE.**

4.5. DIRECTORY ASSISTANCE

DIRECTORY ASSISTANCE WILL BE PROVIDED AT \$0.85 PER CALL.

4.6. PREPAID CALLING CARD SERVICES

PREPAID CALLING CARD SERVICES WILL BE PROVIDED AT \$0.36 PER MINUTE.  
WITH PREPAID CARDS SOLD IN DENOMINATIONS OF \$5.00, \$10.00, \$15.00, \$20.00  
AND \$25.00. USERS WILL BE NOTIFIED WHEN THEIR CARDS HAVE LESS THAN FIVE  
(5) MINUTES USE REMAINING AND AN OPPORTUNITY TO RECHARGE THEIR  
PREPAID CALLING CARD IN THE DENOMINATIONS STATED ABOVE.

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4.7. OPERATOR SERVICE RATES & CHARGES

OPERATOR SERVICES PRICE CEILING - APPLIES TO BOTH INTRALATA AND INTERLATA

	MILEAGE	DAY RATES			EVENING RATES			NIGHT RATES	
		INITIAL	EA ADD'L		INITIAL	EA ADD'L		INITIAL	EA ADD'L
		MINUTE	MINUTE		MINUTE	MINUTE		MINUTE	MINUTE
I	1-430	0.45	0.45	0.45	0.45	0.45		0.45	

INTRALATA

		AUTOMATED OPERATOR	START AUTOMATED COMPLETED LIVE OPERATOR	LIVE OPERATOR
I	1. CALLING CARD	\$1.75	\$3.45	\$3.45
I	2. COLLECT	\$2.95	\$4.95	\$4.95
I	3. THIRD PARTY		\$5.50	\$5.50
I	4. PERSON-TO-PERSON		\$9.95	\$9.95
I	5. CREDIT CARD	\$1.75	\$3.45	\$3.45

INTERLATA

		AUTOMATED OPERATOR	START AUTOMATED COMPLETED LIVE OPERATOR	LIVE OPERATOR
I	1. CALLING CARD	\$1.75	\$3.95	\$3.95
I	2. COLLECT	\$2.95	\$4.95	\$4.95
I	3. THIRD PARTY		\$5.50	\$5.50
I	4. PERSON-TO-PERSON		\$9.95	\$9.95
I	5. CREDIT CARD	\$1.75	\$3.95	\$3.95

4.8. SPECIAL PROMOTIONS

THE COMPANY WILL, FROM TIME TO TIME, OFFER SPECIAL PROMOTIONS TO ITS CUSTOMER'S WAIVING CERTAIN CHARGES. THESE PROMOTIONS WILL BE APPROVED BY THE PUBLIC UTILITIES COMMISSION OF KENTUCKY WITH SPECIFIC STARTING AND ENDING DATES AND UNDER NO CIRCUMSTANCES RUN LONGER THAN 90 DAYS IN ANY 12 MONTH PERIOD.

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## The BellSouth End-User Bill

## Consumer Bill Example #2

Clearinghouse, Inc.

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End-User Name  
Account Number  
601 XXX-XXXX XXX

Detailed Statement  
of Charges  
For Clearinghouse,  
Inc.  
Billing Questions,  
Call 1 8xx-xxx-xxxx

The following Service Provider(s) have notified BellSouth that  
they are billing new services on your bill this month:  
**ABC COMPANY**

Miscellaneous Charges and CreditsAmount

Service Provider - ABC COMPANY (#1235)

To Contact the Service Provider directly, call 1800 xxx-xxxx

Date

1.	02/01	Federal Universal Service Fund Fee	2.85
Total Miscellaneous Charges and Credits			2.85

Itemized CallsAmount

Service Provider - ABC COMPANY (#1235)

Calling Card Calls

	Date	Called From	Called To	Rate*	Time	Min	
2.	02/08	212-xxx-xxxx	718 XXX-XXXX	HNC	08:12PM	12	6.58
		NEWYORK NY	QUEENS NY				
3.		NY STATE TAX					.08
4.	02/14	212-xxx-xxxx	601 XXX-XXXX	DC	07:23PM	1	2.50
		NEWYORK NY	VMS DELIVERY				
Total Calling Card Calls							9.16

800 Service Call to 1 888-xxx-xxxx

	Date	Called From	Number	Rate*	Time	Min	
5.	02/13	ISRAEL	972200000000	AT	01:03PM	20	16.37
6.	02/15	QUEENS NY	718 XXX-XXXX	HN	09:27PM	15.3	4.54
Total 800 Service Call to 1888-xxx-xxxx							20.91

Service Provider - XYZ COMPANY (#9999)

To Contact the Service Provider directly, call 1800 xxx-xxxx

Operator Handled Calls Placed From and Billed to 601-xxx-xxxx

	Date	Place Called	Number Called	Rate*	Time	Min	
7.	02/22	CONF CALL	708 xxx-xxxx	ADX	4:32PM	47	20.48
Total Operator Handled Calls Placed From and Billed to 601-xxx-xxxx							20.48
Total Itemized Calls							50.55

Taxes

9.	Federal Tax	1.60
10.	State / Local Tax	2.12
Total Taxes		3.72

Total Clearinghouse, Inc. Current Charges

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Messages

The Federal Communications Commission requires all telecommunications providers to contribute to a Federal Universal Service Fund. The Federal Universal Service Fund Fee is a charge to cover this cost.

Taxes and Rate Codes - Page 10

This portion of your bill is provided as a service to XYZ, Inc.

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SECRETARY OF THE COMMISSION

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**Proprietary** Contains privileged information meant solely for B&C Customers under contract and BellSouth employees with a need to know.

Exhibit "A"